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PTO/SB/30 (01-03)

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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/353,423
Filing Date	July 15, 1999
First Named Inventor	Nagabhushan
Art Unit	1632
Examiner Name	Anne-Marie Falk
Attorney Docket Number	CJ-0776QK

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MAY 12 2003

TECH CENTER 1600/2900

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500551
- a. ☒ RCE fee required under 37 CFR 1.17(e)      05/09/2003 AWONDAF1 00000056 500551 09353423
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)      01 FC:1801      750.00 CH
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Richard B. Murphy	Registration No. (Attorney/Agent)	35296
Signature	<i>Richard B. Murphy</i>	Date	May 5, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Richard B. Murphy	Date	May 5, 2003
Signature	<i>Richard B. Murphy</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

***In re the Application of:***

Applicant(s) : Nagabhushan, *et al.*  
Title : Methods and Compositions for  
Delivery of Interferon Alpha  
Nucleic Acids  
Serial No. : 09/353,423  
Filed : July 15, 1999  
Docket No. : CJ-0776QK

Examiner: Anne-Marie Baker

Group Art Unit: 1632

**Amendment and Response to  
Office Action**

#18/D  
Hita  
5/13/03

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

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**AMENDMENT**

**In the claims:**


Please enter the following amendments to the claims prior to examination:

34. (Amended) A method of killing a hepatocellular carcinoma cell by contacting said hepatocellular carcinoma cell with a recombinant viral vector comprising a nucleic acid segment encoding an interferon- $\alpha$  polypeptide lacking a secretion leader sequence, ~~the nucleic acid segment being operatively linked to a liver specific promoter specific for a tissue of interest, wherein the nucleic acid segment encoding the interferon- $\alpha$  polypeptide lacks a secretion leader~~ sequence, wherein said vector is internalized by said cell and results in the transcription and

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that the attached correspondence is being deposited as First Class Mail with sufficient postage with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

  
Richard B. Murphy

  
May 5, 2003